

Ent: 410397 - Pg 1 of 11
Date: 3/19/2015 10:50:00 AM
Fee: \$33.00
Filed By: eCASH
Jerry M. Houghton, Recorder
Tooele County Corporation
For: ARTISAN TITLE INC (ACH)

AFTER RECORDING MAIL TO:

Space for Recorder's Use

DBC ENTERPRISES, LLC
Attn: Douglas E. Cannon
405 East 4450 North
Provo, UT 84604

**SUPPLEMENTAL DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF
ANDERSON RANCH SUBDIVISION (PHASE 7, and other future phases property)**

THIS SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF ANDERSON RANCH SUBDIVISION (PHASE 7 and other future phases) ("Supplemental Declaration") is made this 1st day of December, 2014 by Anderson Ranch Owners Association, a Utah non-profit corporation (the "Association"), pursuant to item 3.(5) "no provisions of the Declaration shall prevent Phase III Declarant from doing any of the following...(5) Addition of additional adjacent real property as Property under the Declaration , and DBC Enterprises, LLC, a Utah limited liability company, TP Grantsville, LLC a Utah limited liability company and TP Development, Inc. a Nevada Corporation, collectively as the Declarant. (the "Phase 7 and other future phases Declarant")

RECITALS

This Supplemental Declaration is made with reference to the following facts and objectives:

- A. The Phase 7 and other future phases Declarant is the owner of that certain real property more particularly describe on Exhibit "A" attached hereto and incorporated herein by this reference (the "Phase 7and other future phases Property")
- B. The Phase 7 and other future phases Declarant desires to submit the Phase 7 other future phases Property to the provisions of the certain Declaration of Covenants, Conditions and Restrictions, recorded in the office of the Tooele County Recorder on May 7, 1998, as Entry No. 111225, Book 0505, at page 0316, as amended by the certain Master Restated Amendment to Declaration of Covenants, Conditions and Restrictions of Anderson Ranch Subdivision, recorded in the office of the Tooele County Recorder on August 21, 2006, as Entry No 265940 and any subsequent amendments and supplemental declarations (collectively, the "Declaration")
- C. The current property subject to the Declaration is more particularly described on Exhibit "B" attached hereto and incorporated herein by the reference (the "Property")

- D. Item 3.(5) of the SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF ANDERSON SUBDIVISIONS (PHASE III) recorded 07 June 2007 to the Declaration provides that the Phase III Declarant (DBC Enterprises, LLC) may add additional adjacent real property as Property under the Declaration.
- E. DBC Enterprises, LLC, TP Grantsville, LLC and TP Development, Inc. collectively (The Phase 7 and other future phases Declarant) now desire to incorporate and annex the Phase 7 and other future phases Property into the Property that is covered by the Declaration, as amended by the Master Amendment.
- F. The Phase 7 and other future phases Declarant intends to develop the Phase 7 and other future phases Property as part of the residential subdivision currently developed on the Property. The Phase 7 and other future phases Declarant will develop and convey all of the lots within the Phase 7 and other future phases Property subject to a general plan of development, and subject to certain protective covenants, conditions and restrictions all as set forth in this Declaration, as amended by the Master Declaration, and which are deemed to be covenants running with the land mutually burdening and benefiting each of such lots.

NOW THEREFORE, Phase 7 and other future phases Declarant declares as follows:

1. THE PHASE 7 and other future phases DECLARANT HEREBY DECLARES that all of the lots within the Phase 7 and other future phases Property shall be held, sold, conveyed, encumbered, leased, used, occupied and improved subject to the protective covenants, conditions, restrictions and equitable servitude set forth in the Declaration, as amended. It is the intention of the Phase 7 and other future phases Declarant in imposing these covenants, conditions and restrictions to create a general plan of development, to protect and enhance the property values and aesthetic values of the Phase 7 and other future phases Property. The covenants, conditions and restrictions contained in the Declaration, as amended, are intended to, and shall in all cases run with the title of the land, and be binding upon the successors, assigns, heirs, and any other person holding any ownership or possessory interest in the Phase 7 and other future phases Property, and shall inure to the benefit of all other lots in the Property and the Phase 7 and other future phases Property.

2. The recordation of this Supplemental Declaration shall constitute and effectuate the annexation and incorporation of the Phase 7 and other future phases Property, making the Phase 7 and other future phases Property subject to the functions, powers and jurisdiction of Anderson Ranch Owners Association, a Utah non-profit corporation (the "Association"), as provided in the Declaration. Upon such recordation, the Phase 7 and other future phases Property shall be part of the Properties as that term is defined in the Declaration, and all of the Owners of Lots (as those terms are defined in the Declaration) within the Phase 7 and other future phases Property shall automatically become members of the Association.

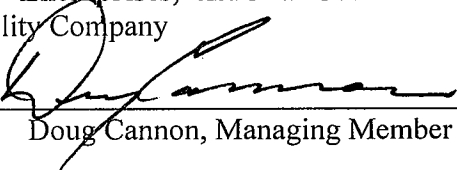
3. The covenants, conditions, and restrictions shall be binding upon the Phase 7 and other future phases Declarant as well as its successors in interest, and may be enforced by the Phase 7 and other future phases Declarant or by any Owner, as defined in the Declaration. Notwithstanding the foregoing, no provisions of the Declaration shall prevent DBC Enterprises, LLC from doing any of the following, which shall be deemed to be among DBC Enterprises, LLC's expressly reserved rights in addition to such rights as may be described elsewhere in this Declaration: (1) Installation and completion of the improvements; (2) Use of any lot owned by the Phase 7 and other future phases Declarant as a model home, or for the placement of a temporary construction or sales office; (3) Installation and maintenance of signs incidental to sales or construction, subject to applicable laws and ordinances; (4) Assignment of Phase 7 and other future phases Declarant's rights under this Declaration in whole or part to one or more builders intending to construct homes on the Phase 7 and other future phases Property; and (5) Addition of additional adjacent real property as Property under the Declaration. DBC Enterprises, LLC will exercise, in its sole discretion, the Class B Declarant voting rights for the Phase 7 and other future phases Declarant.

4. Notwithstanding any applicable theory relating to a mortgage, deed of trust or similar instrument, the term Lot Owner, Owner, or Owners shall not mean or include the mortgagee or the beneficiary or trustee under a deed of trust unless and until such party has acquired title pursuant to foreclosure and any arrangement or proceeding in lieu thereof.

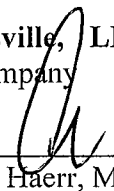
5. Except as expressly set forth in this Supplement Declaration, all other terms and conditions of the Declaration, as amended, shall remain in full force and effect. In the event of any inconsistency between this Supplement Declaration and the Declaration, as amended, this Supplemental Declaration shall control.

IN WITNESS WHEREOF, the Phase 7 and other future phases Declarants have executed this Supplemental Declaration as of the day and year first above written or as otherwise set forth herein.

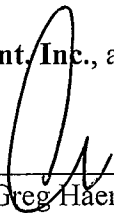
DBC Enterprises, LLC a Utah Limited Liability Company

By: 
Doug Cannon, Managing Member

TP Grantsville, LLC a Utah Limited Liability Company

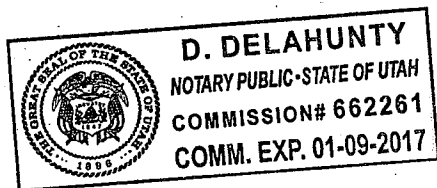
By: 
Greg Haerr, Manager

TP Development, Inc., a Nevada Corporation

By: 
Greg Haerr

State of Utah)
County of Salt Lake) : ss

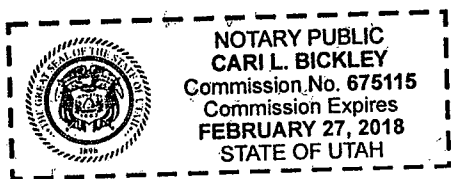
The foregoing instrument was acknowledged before me on this 19 day of March, 2014 by Doug Cannon, Managing Member of DBC Enterprises, LLC, a Utah limited liability company.



[Signature]
Notary Public

State of Utah)
County of SLC) : ss

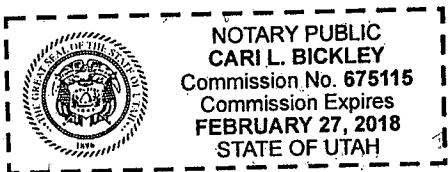
The foregoing instrument was acknowledged before me on this 19th day of Mar, 2014 by Greg Haerr, of TP Development, Inc., a Nevada Corporation.



[Signature]
Notary Public

State of Utah)
County of SLC) : ss

The foregoing instrument was acknowledged before me on this 19th day of Mar, 2014 by Greg Haerr, Manager of TP Grantsville, LLC, a Utah limited liability company.



[Signature]
Notary Public

EXHIBIT "A"
Anderson Ranch Phase 7 and other future phases Property
LEGAL DESCRIPTION
SURVEYOR'S NARRATIVE

I, Douglas J. Kinsman, do hereby state that I am a Professional Land Surveyor, and that I hold license no. 334575, as prescribed by the laws of the state of Utah, and represent that I have made a survey of the following described property. The purpose of this survey is to retrace the boundary, monument the corners, and provide boundary information to our client.

The surveyed boundary was determined from a survey of the relevant Section Corner monuments, the existing fence lines called out in the original deeds, and the measured locations of recorded road rights-of-way.

The basis of bearing for this survey is the line between the found monuments at the Southwest Corner and the West Quarter Corner of Section 4, Township 3 South, Range 5 West, Salt Lake Base and Meridian, which bears North 0°08'38" East 2650.15 feet (2649.77 feet – record, from Dependent Resurvey).

BOUNDARY DESCRIPTION

A parcel of land, situate in the Southeast Quarter of Section 5, and the Southwest Quarter of Section 4, and the Northwest Quarter of Section 9, Township 3 South, Range 5 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at point on the section line, said point being South 0°29'04" West 17.45 feet along the section line from the found monument at the Southwest Corner of Section 4, Township 3 South, Range 5 West, Salt Lake Base and Meridian, and running:

thence South 0°29'04" West 510.37 feet along the section line and an existing fence line;
thence North 89°54'22" East 1526.52 feet along said fence line to the corner thereof;
thence North 0°14'36" East 1210.71 feet along an existing fence line, the northerly portion of which is the subject of that Boundary Line Agreement recorded May 14, 2012 under Entry no. 369615, in the Tooele County Recorder's Office;
thence South 89°53'56" West 424.58 feet;
thence South 6.00 feet;
thence West 1100.91 feet to the Section line;
thence North 0°08'38" East 141.07 feet along the Section line;
thence North 89°46'00" West 421.83 feet;
thence North 437.22 feet to the south line of Sagebrush Lane (580 South).
thence West 850.83 feet along said south line to the east line of Worthington Street;
thence South 0°26'23" West 1269.01 feet along said east line to its intersection with the an existing fence line and an existing Boundary Line Agreement recorded July 1, 2014 under Entry no. 400388 in the Tooele County Recorder's Office;
thence South 89°41'41" East 506.86 feet along an existing fence line and boundary line agreement;

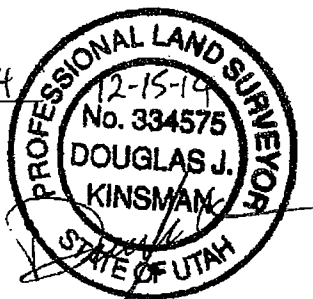
thence South 89°44'12" East 295.29 feet along said fence line and boundary line agreement;

thence South 89°37'53" East 478.06 feet along said fence line and boundary line agreement to the Point of Beginning.

Parcel contains: 3,280,601 square feet or 75.31 acres.

Dec 15, 2014

Date of Survey
License 334575



01-070-0-0106
01-069-0-0064
01-076-0-0002

EXHIBIT "B"

**ANDERSON RANCH SUBDIVISION PROPERTY
Legal Description**

**SEE RECORDED COPY OF MASTER RESTATED AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS recorded
August 21, 2006, as Entry No. 265940, of official records for description.**

Plus Property described in EXHIBIT "A".

EXHIBIT "B"

Anderson Ranch Phase 5A LEGAL DESCRIPTION

Beginning at a point on the section line, said point being South 0 08'38" West 479.56 feet along the section line from the West Quarter Corner of Section 4, Township 3 South, Range 5 West, Salt Lake Base and Meridian, and running;

Thence East 181.50 feet;

Thence North 0 08'38" East 149.99 feet to the Southeast Corner of Lot 368, Anderson Ranch Subdivision Phase 3, recorded May 17, 2007 as Entry No. 284813 in the office of the Tooele County Recorder,

Thence South 89 51'22" East 60.00 feet along the south line of said subdivision to a Southeast Corner of said Anderson Ranch Subdivision Phase 3, also being on the west line of Lot 401, Anderson Ranch Subdivision Phase 4A;

Thence South 0 08'38" West 149.84 feet along the west line of said subdivision the Southwest Corner of said Lot 401, Anderson Ranch Subdivision Phase 4A;

Thence East 470.82 feet along the south line of Lot 401, Anderson Ranch Subdivision Phase 4A;

Thence South 0 08'38" West 429.00 feet;

Thence East 95.50 feet;

Thence South 0 08'38" West 426.34 feet;

Thence South 89 38'01" West 808.92 feet to the section line;

Thence North 0 08'38" East 860.51 feet along the section line to the point of beginning.

Contains 661,306 square feet, 15.181 acres, 23 lots, 1 Parcel (Retention Basin.)

Tax Parcel No's 18-029-0-501 through 18-029-0-523

See attached Lots in ANDERSON RANCH PHASE 5

EXHIBIT "B"

Anderson Ranch Phase 5B LEGAL DESCRIPTION

Beginning at the Northeast Corner of Anderson Ranch Subdivision Phase 5A, said point also being on the south line of Lot 401, Anderson Ranch Subdivision Phase 4A, said point being South 0 08'38" West 479.56 feet along the section line and East 712.32 feet from the West Quarter Corner of Section 4, Township 3 South, Range 5 West, Salt Lake Base and Meridian, and running;

Thence East 596.03 feet along the south line of Lot 401 to and along the south line to the Southeast Corner of Lot 402, Anderson Ranch Subdivision Phase 4A;

Thence northeasterly 122.10 feet along the arc of a 85.00 foot radius curve to the right, (center bears South East and long chord bears North East 111.87 feet, with a central angle of 82 18'05") along the southerly line of said Lot 402, Anderson Ranch Subdivision Phase 4A;

Thence East 167.26 feet along the south line of said Lot 402, Anderson Ranch Subdivision Phase 4A;

Thence northeasterly 23.56 feet along the arc of a 15.00 foot radius curve to the left, (center bears North and long chord bears North 45 00'00" East 21.21 feet, with a central angle of 90 00'00") along the south line to the east line of said Lot 402, Anderson Ranch Subdivision Phase 4A;

Thence North 76.38 feet along the east line of said Lot 402, Anderson Ranch Subdivision Phase 4A to a Southwest Corner of Anderson Ranch Subdivision Phase 3;

Thence East 60.00 feet along the south line of Anderson Ranch Subdivision Phase 3;

Thence South 151.38 feet;

Thence West 106.87 feet to a Boundary Line Agreement defined as along a wire fence running North/South recorded as Entry No. 360402, recorded September 22, 2012;

Thence South 0 17'45" West 457.82 feet along said Boundary Line Agreement and wire fence recorded as Entry No. 360402, recorded September 22, 2012;

Thence South 0 19'46" West 365.74 feet along said Boundary Line Agreement and wire fence recorded as Entry No. 360402, recorded September 22, 2012;

Thence South 0 06'06" West 40.82 feet along said Boundary Line Agreement and wire fence recorded as Entry No. 360402, recorded September 22, 2012;

Thence South 89 38"01" West 716.71 feet to the Southeast Corner of Anderson Ranch Subdivision Phase 5A

Thence North 426.34 feet along the east line to a Northeast Corner of Anderson Ranch Subdivision Phase 5A;

Thence West 95.50 feet along a north line to an interior corner of Anderson Ranch Subdivision Phase 5A;

Thence North 0 08'38" East 429.00 feet along the east line of Anderson Ranch Subdivision Phase 5A to the point of beginning.

Contains 680,616 square feet, 15.624 acres, 23 lots.

Tax Parcel No's 18-029-0-524 through 18-029-0-546

See attached lots in ANDERSON RANCH PHASE 5

EXHIBIT "B"

BOUNDARY DESCRIPTION
Remainder Parcel – Future Phase 6

A parcel of land, situate in the Southeast Quarter of Section 5 and the Southwest Quarter of Section 4, Township 3 South, Range 5 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point which is located South $0^{\circ}08'38''$ West 1391.49 feet along said Section line and East 7.86 feet from the found monument at the East Quarter Corner of Section 5, Township 3 South, Range 5 West, Salt Lake Base and Meridian, and running:

thence Southeasterly 50.23 feet along the arc of a 224.12-foot radius tangent curve to the right (center bears South and the long chord bears South $83^{\circ}34'44''$ East 50.13 feet, through a central angle of $12^{\circ}50'32''$);

thence Southeasterly 77.50 feet along the arc of a 336.17-foot radius tangent reverse curve to the left (center bears North $12^{\circ}50'32''$ East and the long chord bears South $83^{\circ}45'44''$ East 77.50 feet, through a central angle of $13^{\circ}12'32''$);

thence North $89^{\circ}38'01''$ East 114.63 feet;

thence North $0^{\circ}08'37''$ East 66.28 feet to the south line of the Anderson Ranch Phase 5A subdivision;

thence North $89^{\circ}38'01''$ East 559.71 feet along said south line;

thence North $89^{\circ}38'02''$ East 716.71 feet along the south line of the Anderson Ranch Phase 5B subdivision;

thence South $0^{\circ}06'06''$ West 390.16 feet;

thence South $0^{\circ}14'13''$ West 244.27 feet;

thence South $89^{\circ}53'56''$ West 424.57 feet;

thence South 6.00 feet;

thence West 1100.91 feet to the Section line;

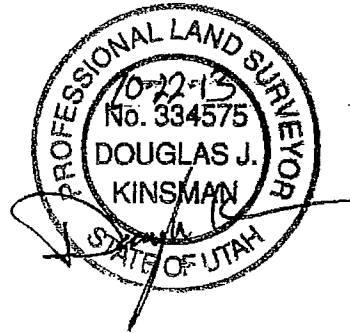
thence North $0^{\circ}08'38''$ East 141.07 feet along the Section line;

thence North $89^{\circ}46'00''$ West 421.83 feet;

thence North 437.22 feet;

thence East 430.79 feet to the Point of Beginning.

Parcel contains: 1,137,591 square feet or 26.12 acres.



ANDERSON RANCH PHASE 7
Lots, Addresses and Tax Parcel No.
Grantsville, Utah 84029

Lot 701:

Tax Parcel No.

To be added